

Exhibit 5

Discontinuation Order

NEW YORK SUPREME COURT - COUNTY OF BRONX

PART 8

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX:

GMAC MORTGAGE, LLC

-against-

HALSTEAD, TEDDY ETAL

Index No. 380678-2012

Hon. BETTY OWEN STINSON

Justice.

Case Disposed	<input checked="" type="checkbox"/>
Settle Order	<input type="checkbox"/>
Schedule Appearance	<input type="checkbox"/>

The following papers numbered 1 to 2 Read on this motion, discontinuation
Noticed on 4-9-13 and duly submitted as No. A/D on the Motion Calendar of 4/9/13

	PAPERS NUMBERED
Notice of Motion - Order to Show Cause - Exhibits and Affidavits Annexed	1
Answering Affidavit and Exhibits	2
Replying Affidavit and Exhibits	
_____ Affidavits and Exhibits	
Pleadings - Exhibit	
Stipulation(s) - Referee's Report - Minutes	
Filed Papers	
Memoranda of Law	

Upon the foregoing papers this

motion by plaintiff for an order pursuant to CPLR §6514(d) canceling the Notice of Pendency of Action, discontinuing the action is granted. A response was received from defendant Teddy Halstead containing matters that would be more fully addressed in an Answer or motion for dismissal. Since this action is being discontinued the response is academic.

This is the decision of the Court.

Order signed.

Dated: 4/15/2013

Hon. Betty Owen Stinson
J.S.C.

Motion is Respectfully Referred to:

Justice:

Dated:

At an IAS Part of the Supreme Court held in and
for the County of Bronx at the Courthouse
thereof located at 851 Grand Course, Bronx
New York on the 15 day of APRIL, 2013

BETTY OWEN STINSON

PRESENT: HON.:

JUSTICE

GMAC MORTGAGE, LLC,

Plaintiff,

-against-

Index No. 380678/12

ORDER DISCONTINUING
ACTION, AND CANCELING
LIS PENDENS

TEDDY HALSTEAD, NEW YORK CITY ENVIRONMENTAL
CONTROL BOARD; NEW YORK CITY PARKING VIOLATIONS
BUREAU; NEW YORK CITY TRANSIT ADJUDICATION BUREAU;
NEW YORK STATE DEPARTMENT OF TAXATION AND
FINANCE; "JOHN DOES" and "JANE DOES", said name being
fictitious, parties intended being possible tenants or occupants of
premises, and corporations, other entities or persons who claim, or may
claim, a lien against the premises

Defendants.

UPON the Notice of Motion and Affirmation of Christopher Messina, Esq., both dated
March 14 2013, and the pleadings and papers previously filed herein, said motion having come
on to be heard before this Court on April 9, 2013, and there being no opposition thereto, and after
due deliberation, it is

ORDERED, that the within foreclosure action is hereby discontinued without prejudice
and without costs to any party; and it is further

ORDERED, that the Lis Pendens filed on June 21, 2012, with the Bronx County Clerk,
against the property known as 872 East 216th Street, Bronx, New York, Block 4674 and Lot
91.00 be and same hereby is canceled, and the Bronx County Clerk is hereby directed, upon
payment of the appropriate fee, if any, to discharge same with all convenient speed.

Betty Owen Stinson
ENTER

BETTY OWEN STINSON
JUSTICE

GMAC MORTGAGE, LLC

Pg 4 of 4

Plaintiff,

-against-

Defendants.

TEDDY HALSTEAD; ET AL,

NATIONWIDE COURT SERVICES, INC.
700 JEROME AVENUE
SUITE A
ROCKY HILL, NY 12551
TEL: (831) 991-0000
FAX: (831) 991-7000

ORDER DISCONTINUING ACTION AND CANCELING LIS PENDENS

KNUCKLES, KOMOSINSKI, & ELLIOTT, LLP

Attorneys for

Plaintiff

Office and Post Office Address, Telephone

565 TAXTER ROAD

SUITE 590

ELMSFORD, N.Y. 10523

TEL: (914) 345-3020

FAX: (914) 366-0080

To

Signature (Rule 130-1.1-a)



Print name beneath

Attorney(s) for

CHRISTOPHER MESSINA

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order
settlement to the HON.
of the within named court, at
on

at

M

of which the within is a true copy will be presented for
one of the judges

Dated,

Yours, etc.

KNUCKLES, KOMOSINSKI, & ELLIOTT, LLP

Attorneys for

To

Office and Post Office Address

565 TAXTER ROAD

SUITE 590

ELMSFORD, N.Y. 10523

Attorney(s) for